

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re: BRENDA MARIE SALAZAR,

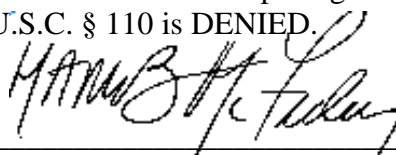
No. 7-08-12538 MA

Debtor.

**ORDER DENYING BANKRUPTCY PETITION PREPARER'S
DEMAND FOR JURY TRIAL**

THIS MATTER is before the Court on the demand for trial by jury filed by bankruptcy petition preparer Pamela Brown, *pro se*, in response to the United States Trustee's Motion for Order Imposing Sanctions Against Bankruptcy Petition Preparer Pursuant to 11 U.S.C. § 110. Ms. Brown's response demanded a jury trial based upon her Constitutional right under the Seventh Amendment. *See* Docket No. 14. There is no Seventh Amendment right to a jury trial in matters filed pursuant to 11 U.S.C. § 110. *See In re Gould v. Clippard*, 340 B.R. 861, 881-882 (M.D.Tenn 2006)(finding that an action filed under 11 U.S.C. § 110 is a "core proceeding" within the bankruptcy court's jurisdiction under 28 U.S.C. § 157(b)(2)(A) so that there was no right to a jury trial). *See also, In re Graves*, 279 B.R. 266, 272 (9th Cir. BAP 2002)(holding that "there is neither a constitutional nor a statutory right to a trial by jury in an action for a § 110(j) injunction.").

WHEREFORE, IT IS HEREBY ORDERED that Pamela Brown's demand for jury trial on the issues presented in the United States Trustee's Motion for Order Imposing Sanctions Against Bankruptcy Petition Preparer Pursuant to 11 U.S.C. § 110 is DENIED.



MARK B. McFEELEY
United States Bankruptcy Judge

Date entered on docket: February 5, 2009

COPY TO:

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